

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ALMONTIE SHIELDS,**

**Defendant.**

**Case No. 06-cr-30166-1-DRH**

**ORDER**

**HERNDON, Chief Judge:**

This matter was referred to United States Magistrate Judge Donald G. Wilkerson for the specific purpose of conducting a change of plea hearing for defendant Almontie Shields, pursuant to **28 U.S.C. § 636, SDIL Rule 72.1(b)(2)** and Defendant's consent (Doc. 479). The change of plea hearing was held on August 29, 2008 (Doc. 515) pursuant to **FEDERAL RULE OF CRIMINAL PROCEDURE 11**, during which defendant Shields plead guilty to Counts 1, 3 and 4 of the Third Superseding Indictment (Doc. 334) following a thorough colloquy with Judge Wilkerson. A Report and Recommendation ("R&R") (Doc. 506) was issued, recommending the Court accept Defendant's plea of guilty. In accordance with **28 U.S.C. § 636(b)(1)(B)**, the parties were allowed ten (10) days from the issuance of the R&R to file written objections thereto. Neither party filed timely objections. Therefore, the Court **ADOPTS** the R&R (Doc. 506) in its entirety.

Thus, it is the finding of the Court in the case of *United States v. Almontie Shields*, that defendant Almontie Shields was fully competent and capable of entering an informed plea, that he was aware of the nature of the charges and the consequences of the plea, and that the plea of guilty (*nolo contendere*) was a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. Accordingly, the Court **ACCEPTS** defendant Almontie Shields's guilty plea and **ADJUDGES** him **GUILTY** of **Counts 1, 3 and 4 of the Third Superseding Indictment** (Doc. 334).

The Court also acknowledges that a Presentence Investigation Report for defendant Shields has already been prepared by the Probation Office. Further, the sentencing hearing for defendant Almontie Shields is hereby scheduled for **Wednesday, October 1, 2008 at 11:30 a.m.**

**IT IS SO ORDERED.**

Signed this 24th day of September, 2008.

/s/ David R. Herndon

**Chief Judge**  
**United States District Court**